

APPEAL NO. 031372
FILED JULY 16, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on April 28, 2003. The hearing officer determined that the appellant (claimant) sustained a compensable left wrist injury on _____, but did not sustain an injury to her lower back and right wrist/hand in the course and scope of employment, and that the claimant had disability (as defined in section 401.011(16)) from December 18, 2002, through January 28, 2003, but not from January 29, 2003, to the date of the CCH.

The claimant appeals the determinations of no compensable lumbar and right hand injury and the disability determinations basically on sufficiency of the evidence grounds, and asks some rhetorical questions based on a misreading of the hearing officer's decision. The appeal file does not contain a response from the respondent (carrier).

DECISION

Affirmed.

The claimant testified that she felt a pull in her low back while lifting a box on _____. The claimant also claimed a left wrist injury and either a bilateral or a right hand injury. The medical evidence was conflicting but fairly clearly a lumbar MRI was normal. The claimant argues that a normal lumbar MRI does not preclude a strain or soft tissue injury. The hearing officer commented that she did not find the claimant's contentions of a low back and/or right wrist/hand injury persuasive and that the doctor's diagnoses were based on the claimant's complaints of pain.

The claimant on appeal asks how the hearing officer determined that disability for the left wrist ended on January 28, 2003. One answer might be that there were no Work Status Reports (TWCC-73) taking the claimant off work after that date. The claimant also complains that the hearing officer "found that the claimant did not have a back injury, yet any disability beyond April 23, 2003, was related to her back injury." What the hearing officer actually found was no compensable back injury (no lower back injury "in the course and scope of employment") and that there was no inability to obtain and retain employment at the preinjury wage from January 29 through April 28, 2003, "as a result of the injury of _____."

We perceive no error in the hearing officer's determinations and conclude that the hearing officer's determinations are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Thomas A. Knapp
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Margaret L. Turner
Appeals Judge